



CALIFORNIA'S COALITION *for* ADEQUATE SCHOOL HOUSINGSM

www.cashnet.org

Officers

WILLIAM L. SAVIDGE
Chair
West Contra Costa USD
510/307-4544

CATHY ALLEN
Vice Chair
Western Placer USD
916/645-5100

JANET DIXON
Treasurer
Riverside USD
951/788-7496

Directors

NINA BOYD
Orange Co. Dept. of Ed.
714/966-4050

MARGARET E. BROWN
San Ramon Valley USD
925/552-2960

JAMES F. BUSH
School Site Solutions, Inc.
916/257-2530

JOE DIXON
Santa Ana USD
714/480-5348

LYN GRUBER
Koppel & Gruber Public
Finance
760/510-0290

JENNY HANNAH
Kern Co. Supt. of Schools
661/636-4700

BRUCE McDANIEL, Ed.D.
Lennox Elem. SD
310/695-4060

ED MIERAU
Neff Construction, Inc.
909/947-3768

STEPHEN NEWSOM
LPA, Inc.
916/772-4300

KATHY TANNER
San Marcos USD
760/290-2650

Immediate Past Chair
TED E. ROZZI
Corona-Norco USD
951/736-5045

Legal Advisor
STEVE HARTSELL
North Coast Schools
Legal Consortium
707/441-3997

Legislative Advocates
**MURDOCH, WALRATH
& HOLMES**
916/441-3300

February 19, 2010

Lisa Kaplan
Assistant Executive Officer
State Allocation Board
1130 K Street 4th Floor
Sacramento, CA 95814-3927

Re: The matter of the \$531,722,893 in Apportionments

Dear Lisa:

We have had discussions with members of the Legislature, their staff and leaders of several state agencies about the matter of the \$531 million in active apportionments available for projects. At issue is pressure from within the Capitol to take funds apportioned, therefore legally promised, to one district and to offer the funds to an "unfunded" district project. It is important to note that according to law and regulation districts have an 18-month period after an apportionment is made through which it may access funds provided by those apportionments.

It is important as well to note that apportionments are "full and final" (Ed Code 17070.63) and that a district may decline the apportionment by formally rescinding their project. The State however, must honor the promised funding by holding it for the district through the 18th month.

It is also important to note that the \$531 Million includes \$249,979,901 for 222 Career Technical Education projects (CTE). OPSC staff and the Board recognize that CTE projects follow a different approval process than that used for other projects such as New Construction and Modernization. In the CTE program the State Department of Education approves the project in a competitive process, the Office of Public School Construction then receives the project and prepares it for SAB approval, the Board then makes an apportionment, which is "full and final," and then the project is filed with the Division of the State Architect for review and approval. Districts cannot enter into contracts until DSA approval has been granted, therefore approximately half of the \$531M is within DSA and are **not** shovel ready. Districts are prohibited by law from signing contracts until DSA has completed plan check and fully approved the project.

Of the remaining apportionments the attached chart provides a breakdown.

Project Type	# of Projects	Total Apportionments
New Construction:	49	\$ 87,040,306.00
Modernization:	51	\$ 126,785,863.00
CTE (New/Mod):	222	\$ 249,919,901.00
Joint Use:	14	\$ 13,930,454.00
COS:	1	\$ 12,903,722.00
Charter:	3	\$ 30,233,695.00
ORG:	3	\$ 10,908,952.00
		\$ 531,722,893.00

Thank you,

Thomas G. Duffy